

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

United States Court
Southern District of Texas
FILED
OCT 26 2018

David J. Bradley, Clerk of Court

UNITED STATES OF AMERICA

v.

Rene CAMACHO
Albino VARGAS-Hernandez
Hiram LAMARCA-Gonzalez

§
§
§
§

Case No.

H18-1669M

H18-1736M

**GOVERNMENT'S MOTION TO DETAIN
AND DEPOSE MATERIAL WITNESSES**

COMES NOW the United States of America through Ryan K. Patrick, United States Attorney for the Southern District of Texas, and Richard W. Bennett, Assistant United States Attorney to file the Government's Motion to Detain and Depose Material Witnesses.

The United States moves this court, pursuant to Title 18, United States Code, Section 3144, to detain and depose material witnesses and shows the court as follows:

1. On October 26, 2018, defendants, CAMACHO, VARGAS-Hernandez and LAMARCA-Gonzalez were charged by complaint with the offense of conspiring with others knowingly or in reckless disregard transporting and harboring illegal aliens in violation of Title 8, United States Code, Section 1324.

2. On October 24, 2018, the defendants were encountered by the Department of Homeland Security Special Agents, following an execution of three search warrants. Agents discovered twelve other individuals in the residence, who did not speak English and did not have identification. Agents on the scene identified all twelve individuals as being illegally present in the United States. Upon being interviewed, all material witnesses admitted to being smuggled into

the United States, and they identified the defendants as guards at the residence. All twelve individuals are currently in the custody of Immigration and Customs Enforcement (“ICE”).

3. In the absence of a court order to the contrary, the aliens in ICE custody will be removed without delay upon completion of removal proceedings.

4. The aliens were interviewed by law enforcement agents and from the interviews, it appears that several aliens can provide testimony that will be material to the prosecution of this case and the government requests that the following aliens be deemed material witnesses for the prosecution:

- 1) Carlos AXALCO-Huerta (A# 209 227 851)
- 2) Carmen MACARIO-Gomez (A# 216 444 667)
- 3) Aroldo RAMOS-Ramos (A# 216 444 661)

5. Because there is a substantial likelihood that one or more of the aliens identified in Paragraph 4 of this motion will flee once released by ICE, and thus be unavailable to testify at trial, the government moves the court to immediately designate them as “material witnesses” pursuant to Title 18, United States Code, Section 3144 and order the United States Marshal to detain them so that depositions may be taken.

6. The Government further requests that the Court appoint counsel to represent the aliens identified and listed in Paragraph 4 of this motion.

Respectfully submitted,

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